

REMARKS

Applicants affirm herewith the provisional election of Group VI. In this regard, Applicants note that MPEP § 803 states:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office. Accordingly, Applicants submit that the Requirement for Restriction is improper, and request that it be withdrawn.

However, Claim 1 has been amended to limit R¹ to a 4-(lower) alkyl-imidazol-1-yl or a 4,5-di(lower) alkyl-imidazol-1-yl group. Thus, amended Claim 1 falls within elected Group VI.

Claim 2 has been canceled without prejudice.

New Claims 3-16 have been added, and depend from Claim 1.

The amendments and new claims are supported throughout the specification, particularly at pages 2-4 of the specification. No new matter is believed to be added by entry of the amended and new claims. Claims 1 and 3-16 are active.

The rejection of the claims under 35 U.S.C. § 112 is obviated by appropriate amendment. Claim 1 has been amended to recite “a compound” and “pharmaceutically acceptable salts thereof” as suggested by the Examiner. In addition, the pharmaceutical composition of new Claim 3 further comprises a “pharmaceutical carrier”, as suggested by the Examiner. Accordingly, Applicants respectfully request that the rejection be withdrawn.

New Claims 4-16 depend directly or indirectly from Claim 1 or Claim 3, and therefore are also allowable.

The objection to the specification is obviated by appropriate amendment. A new Abstract has been added.

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Accordingly, and for the reasons stated above, Applicants respectfully submit that the present application is now in condition for allowance, and early notification thereof is earnestly solicited.

Respectfully submitted,

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